

REMARKS

Claims 1-5, 7-14, 16-23 and 25-27 are pending in the application. Claims -5, 7-14, 16-23 and 25-27 have been rejected.

Claims 1-5, 7-14, 16-23 and 25-27 stand rejected under 35 U.S.C. § 101, because the claimed invention is directed to non-statutory matter.

Claims 1, 2, 9-11, 18-20 and 27 stand rejected under 35 U.S.C. § 103(a) as being anticipated by Buffalo et al., U.S. Patent No. 6,957,257 (Buffalo). Claims 3-5, 12-14 and 21-23 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Buffalo as applied to claims 1, 10 and 19, and further in view of Heckerman et al., U.S. Patent No. 5,715,374 (Heckerman). Claims 7, 8, 16, 17, 25 and 26 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Buffalo as applied to claims 1, 6, 10, 15, 19 and 24, and further in view of Sullivan et al., U.S. Patent No. 6,615,240 (Sullivan).

Claims 1-5, 9-11, 18-20 and 27 are directed to statutory matter.

Claims 1, 10 and 19 have been amended to overcome this rejection.

Claims 1, 2, 9-11, 15, 18-20, 24 and 27 are allowable over Buffalo.

Buffalo generally relates to automatic customer service maintenance in a communications network. More specifically, Buffalo discloses a method for automatically providing infrastructure maintenance for a customer report in response to a customer in a communications network that includes a core communications (voice and data communications) service and an Access Provider service. The system includes a Work-Flow Manager and a maintenance program scheduler. The Work-Flow Manager is arranged to trigger, for each customer report, each automatic software program of a plurality of automatic software programs in response to an associated milestone event for the customer report. The maintenance program scheduler is coupled to the Work-Flow Manager and is used for invoking a maintenance software program based upon criteria being met by the report.

When discussing Buffalo, the Examiner set forth:

waiting a predetermined amount of time to verify whether the customer contacts the solution network again (once a problem has been resolved, the e-maintenance system waits 24 hours to close a ticket out if unable to contact customer, C6, L25-36, thereby giving the customer time to contact the system); and

indicating a successful resolution to the issue if no contact is made by the customer within the predetermined amount of time (inherently disclosed as the reference provides that the tickets are placed in queue to be closed out in 24 hours if no response is received from the customer, C6, L25-36, and close out of a ticket is interpreted to be synonymous with a determination of successful resolution of the issue, C6 L37-40) (Office Action dated October 24, 2008, Pages 4,5).

The portion of Buffalo to which the Examiner refers sets forth:

When the automatic preparation for clearing program has completed execution, an automatic customer notification program displays the circuit trouble description to the customer via e-maintenance, a web-based system that provides customers direct access to view/update their trouble ticket, or by IVR. If the customer reports that the trouble has been fixed, the e-maintenance system automatically closes out the ticket. If the e-maintenance system is unable to communicate with a person, a message is left with an answering machine where an answering machine is available, and the ticket is placed in a queue to be closed out in 24 hours (Buffalo, C6, lines 25 – 36).

However, this portion of Buffalo does not disclose or suggest indicating a successful resolution to an issue if no contact is made by a customer within a predetermined amount of time as required by claim 1 and as substantially required by claims 10 and 19. Closing a ticket as disclosed by Buffalo is not a disclosure or a suggestion of indicating a successful resolution.

In response to this argument, the examiner set forth:

With respect to Applicant's argument that Buffalo is not a disclosure or a suggestion of indicating a successful solution, Examiner respectfully disagrees. Buffalo discloses in C2 L27-34 that the automatic closing program automatically closes out a ticket when tickets have been successfully "turned up" to the customer, where this occurs only if the trouble has been indicated as fixed, therefore, the mere fact that the ticket has been closed suggests that the trouble has been resolved, thereby, indicating a successful solution. Applicant has failed to point out the supposed error in Examiner's rejection. Therefore in regards to this matter, Applicant's arguments are not persuasive. (Office Action dated October 24, 2008, Page 9.)

However, the portion to which the Examiner refers clearly sets forth that this closing of tickets is based upon input from the customer, either by providing the customer with access to

view and receive permission to close or concur that the trouble has been fixed (i.e., turned-up) or via an interactive voice response system that calls the customer for status. Such a system actually teaches away from the invention as claimed which requires no interaction with a customer before indicating a successful resolution. Accordingly, this element is not disclosed or suggested by Buffalo and for at least this reason claims 1, 10 and 19 are allowable over Buffalo.

Additionally, when discussing Buffalo with respect to the unsuccessful resolution element, the examiner sets forth:

Buffalo, however, fails to explicitly disclose indicating an unsuccessful resolution to the issue by the solution if the customer contacts the solution network within the predetermined amount of time in a further attempt to resolve the issue.

It would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify the customer service maintenance automation of Buffalo to include indicating an unsuccessful resolution to the issue by the solution if the customer contacts the solution network within the predetermined amount of time in the further attempt to resolve the issue because it is old and well know to keep an ongoing repair or operational record or history of a particular machine or product in order to document the current status of the particular machine or product to be repaired. (Office action dated October 24, 2008, Page 5.)

However, it is respectfully submitted that indicating an unsuccessful resolution to the issue (i.e., the issue for which the solution network was contacted) by the solution if the customer contacts the solution network within the predetermined amount of time in a further attempt to resolve the issue is not an obvious modification of Buffalo. In fact as discussed above, Buffalo does disclose a customer contacting the customer maintenance system (see e.g., Buffalo, Col. 2, lines 24 – 34.) Based upon this disclosure within Buffalo, it is respectfully submitted that had Buffalo contemplated indicating an unsuccessful resolution it a customer contact a solution network, Buffalo would have affirmatively disclosed this feature. Accordingly, this element is not disclosed or suggested by Buffalo and for at least this reason claims 1, 10 and 19 are allowable over Buffalo.

Additionally, if the examiner is taking Official Notice of this fact, this Official Notice is respectfully traversed. As discussed, it would not have been obvious to one of ordinary skill in the art with the knowledge of Buffalo to indicate an unsuccessful resolution to an issue (i.e., the issue for which the solution network was contacted) by the solution if the customer contacts the

solution network within the predetermined amount of time in a further attempt to resolve the issue, especially in the context as claimed of a method for verifying solutions provided by a solution network.

Accordingly, Buffalo, taken alone or in combination, does not teach or suggest a method for verifying solutions provided by a solution network which includes *automatically* associating a call from a customer with a solution that is provided to the customer to solve an issue; waiting a predetermined amount of time to verify whether the customer contacts the solution network again in a *further attempt to resolve the issue*; indicating a successful resolution to the issue if no contact is made by the customer in an attempt to resolve the issue within the predetermined amount of time; *indicating an unsuccessful resolution to the issue by the solution if the customer contacts the solution network within the predetermined amount of time in the further attempt to resolve the issue*; and, *verifying the solution based upon the indicating a successful resolution*, all as required by Claim 1 and as substantially required by claims 10 and 19. Accordingly, Claims 1, 10 and 19 are allowable over Buffalo. Claims 2-9 depend from Claim 1 and are allowable for at least this reason. Claims 11-18 depend from Claim 10 and are allowable for at least this reason. Claims 20-27 depend from Claim 19 and are allowable for at least this reason.

Claims 3-5, 12-14 and 21-23 are allowable over Buffalo and Heckerman.

Buffalo is discussed above.

Heckerman relates to performing case-based reasoning. In the system of Heckerman, a belief network is utilized by the preferred case-based reasoning system for assisting a user in problem resolution. After resolving a problem of a user, the system updates the probabilities in the belief network to provide for a more accurate problem resolution upon the next invocation of the system.

However, Buffalo and Heckerman, taken alone or in combination, do not disclose or suggest indicating a successful resolution to an issue if no contact is made by a customer within a predetermined amount of time, much less where the indication of a successful resolution includes incrementing a counter corresponding to the solution to indicate the successful solution, as required by claim 3 and as substantially required by claims 12 and 21, scoring a solution based

upon successful resolution of the issue where a higher score for a solution indicates a more successful solution, as required by claim 4 and as substantially required by claims 13 and 22, or when a solution is indicated as a more successful solution, the solution is presented to a customer higher on a list of available solutions, as required by claim 5 and as substantially required by claims 14 and 13.

Claims 7, 8, 16, 17, 25 and 26 are allowable over Buffalo and Sullivan.

Buffalo is discussed above.

Sullivan discloses a method for automated technical support in a computer network. The method initiates a guided self-help session in response to entry by a user of a problem area and description. During the self-help session, the user is provided with an option to escalate to live help. If the user exercises that option, the system automatically provides a support engineer at the server with a data stream summarizing the self-help session. During the live help, the support engineer may then repeat a portion of the user's self-help session; view information generated during that session, and/or execute certain actions with respect to the user's machine, all from the engineer's desktop.

However, Buffalo and Sullivan, taken alone or in combination, do not disclose or suggest indicating a successful resolution to an issue if no contact is made by a customer within a predetermined amount of time, much less, where if the solution is indicated as unsuccessful, then the solution is escalated into a correction workflow, as required by claim 7 and as substantially required by claims 16 and 25, or where when the solution is escalated into a correction workflow, a product specialist reviews the solution for any needed correction, as required by claim 8 and as substantially required by claims 17 and 26.

CONCLUSION

In view of the amendments and remarks set forth herein, the application is believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the examiner is requested to telephone the undersigned.

The Commissioner is authorized to deduct any additional fees that may be necessary and to credit any overpayment to Deposit Account 502264.

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being electronically submitted to the COMMISSIONER FOR PATENTS via EFS on January 22, 2009.

/Stephen A. Terrile/

Respectfully submitted,

/Stephen A. Terrile/

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